

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JAMES VAUGHN,)
)
 Petitioner,)
)
 vs.) Case No. CIV-05-714-F
)
 RON WARD,)
)
 Respondent.)

ORDER

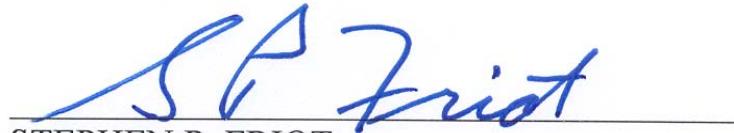
On October 24, 2005, United States Magistrate Judge Valerie K. Couch issued a Report and Recommendation, wherein she recommended that petitioner's petition pursuant to 28 U.S.C. § 2241 be dismissed without prejudice to refiling for failure to exhaust state remedies. Magistrate Judge Couch specifically advised the parties of their right to object to the Report and Recommendation and further advised the parties that failure to make timely objection waives the right to appellate review of the factual and legal issues therein addressed.

To date, no party has filed an objection and no party has filed a request for an extension of time to file an objection. With no objection being filed, the court accepts, adopts, and affirms the Report and Recommendation in its entirety.

Accordingly, the Report and Recommendation issued by United States Magistrate Judge Valerie K. Couch on October 24, 2005 (doc. no. 11), is **ACCEPTED, ADOPTED, and AFFIRMED**. Petitioner's Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, filed June 22, 2005 (doc. no. 1), is

DISMISSED WITHOUT PREJUDICE for failure to exhaust state remedies.
Judgment shall issue forthwith.

ENTERED this 28th day of November, 2005.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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